

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al*,

Plaintiffs,

VS.

RICK PERRY, *et al*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00193

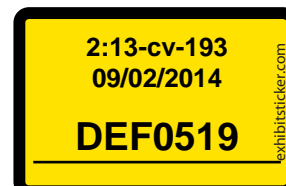
**DEFENDANTS' AMENDED NOTICE OF DEPOSITION DUCES TECUM
TO MICHAEL C. HERRON**

To: **Counsel.**

Pursuant to the Federal Rules of Civil Procedure, the State of Texas, Rick Perry, the Texas Secretary of State¹ and Steve McCraw ("Defendants"), by and through the Attorney General for the State of Texas, give notice that they will take the deposition by oral examination of Michael C. Herron, on August 20, 2014, at 9:00 a.m. and continuing thereafter as needed, at Jenner & Block, 1099 New York Avenue, NW Suite 900, Washington, DC 20001.

This deposition will be recorded by stenographic means, conducted before an individual authorized to administer oaths, and used for any purpose permitted under the Federal Rules of Civil Procedure or court order. The deposition may be videotaped. The deposition will continue from time to time and place to place until concluded.

¹ Various complaints identify the Texas Secretary of State as John Steen. The current Secretary of State, however, is Nandita Berry.



The above deponent is required to produce all documents in his possession, custody or control used in preparation for this deposition, by August 18, 2014, and as set forth in the attached Exhibit A.

Dated: August 14, 2014

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

JONATHAN F. MITCHELL
Solicitor General

J. REED CLAY, JR.
Special Assistant and Senior Counsel
to the Attorney General
Southern District of Texas No. 1160600

/s/ John B. Scott
JOHN B. SCOTT
Deputy Attorney General for Civil Litigation
Southern District of Texas No. 10418
Texas State Bar No. 17901500
ATTORNEY-IN-CHARGE

G. DAVID WHITLEY
Assistant Deputy Attorney General
Southern District of Texas No. 2080496

STEPHEN RONALD KEISTER
Assistant Attorney General
Southern District of Texas No. 18580

JENNIFER MARIE ROSCETTI
Assistant Attorney General
Southern District of Texas No. 224780

LINDSEY ELIZABETH WOLF
Assistant Attorney General
Southern District of Texas No. 2292940

FRANCES WHITNEY DEASON
Assistant Attorney General
Southern District of Texas No. 2302872

STEPHEN LYLE TATUM, JR.
Assistant Attorney General
Southern District of Texas No. 2338090

209 West 14th Street
P.O. Box 12548
Austin, Texas 70711-2548
(512) 475-0131

BEN A. DONNELL
Donnell, Abernethy & Kieschnick
555 N. Carancahua, Suite 1770
Corpus Christi, Texas 78401-0853
Southern District of Texas No. 5689

COUNSEL FOR THE STATE OF TEXAS,
RICK PERRY, JOHN STEEN, and STEVE
MCCRAW

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

The following terms have the following meanings within the document requests and within the instructions, unless the context requires otherwise:

1. You & your. The terms “you” and “your” mean yourself and employees, agents, representatives, attorneys, experts, and other persons acting or purporting to act on your behalf.

2. Document. The term “document” means information that is fixed in a tangible medium, such as paper, or electronically stored information. It includes, but is not limited to, writings, drawings, films, charts, photographs, notices, memoranda, diaries, minutes, correspondence, books, journals, ledgers, reports, worksheets, notes, printed e-mails, letters, abstracts, audits, charts, checks, diagrams, drafts, instructions, lists, logs, resumes, and summaries.

3. Electronically Stored Information. The term “electronically stored information” means electronic information that is stored in a medium from which it can be retrieved and examined. It includes, but is not limited to, all electronic files that can be retrieved from electronic storage.

a. “Electronic file” includes, but is not limited to, the following: electronic documents; e-mail messages and files; and metadata.

b. “Electronic information system” refers to a computer system or network that contains electronic files and electronic storage.

c. “Electronic storage” refers to electronic files contained on magnetic, optical, or other storage media.

4. Tangible thing. The term “tangible thing” means a physical object that is not a document.

5. Communication. The term “communication” means the transmittal of information in the form of facts, ideas, inquiries, or otherwise.

6. And & or. The connectives “and” and “or” should be construed either conjunctively or disjunctively as necessary to bring within the scope of this subpoena all responses that might otherwise be construed to be outside its scope.

7. Federal Action. The term “Federal Action” means:

a. Civil Action No. 2:13-cv-00193 [Lead Case] in the United States District Court for the Southern District of Texas, captioned *Marc Veasey*,

Jane Hamilton, Sergio Deleon, Floyd J. Carrier, Anna Burns, Michael Montez, Penny Pope, Oscar Ortiz, Koby Ozias, John Mellor-Crumley, Peggy Herman, Evelyn Brickner, Gordon Benjamin, Ken Gandy, League of United Latin American Citizens (LULAC), and Dallas County, Texas v. Rick Perry and John Steen;

b. Civil Action No. 2:13-cv-263 [Consolidated Case] in the United States District Court for the Southern District of Texas, captioned *United States of America; Texas League of Young Voters Education Fund, Imani Clark, and Michelle Bessiack; Texas Association of Hispanic County Commissioners, Hidalgo County, and Maria Longoria Benevides v. State of Texas, John Steen, and Steve McGraw;*

c. Civil Action No. 2:13-cv-00291 [Consolidated Case] in the United States District Court for the Southern District of Texas, captioned *Texas State Conference of NAACP Branches; and the Mexican American Legislative Caucus of the Texas House of Representatives v. John Steen and Steve McGraw;* as consolidated with Case 2:13-cv-00193;

d. Civil Action No. 2:13-cv-00348 [Consolidated Case] in the United States District Court for the Southern District of Texas, captioned *Belinda Ortiz, Lenard Taylor, Eulalio Mendez Jr., Lionel Estrada, Estela Garcia Espinosa, Lydia Lara, Margarito Martinez Lara, Maximina Martinez Lara, and La Union Del Pueblo Entero, Inc. v. State of Texas, John Steen, and Steve McGraw.*

DOCUMENTS

1. All documents and tangible things that you relied on to prepare for your testimony at the deposition.
2. All documents and tangible things containing facts or data, from whatever source, considered by you in the drafting of your expert report in the Federal Action.
3. All documents and tangible things containing facts or data, from whatever source, relied upon by you in the drafting of your expert report in the Federal Action.
4. All billing records.
5. If any document requested was, but is no longer, either in your possession, custody, or control, or in existence, state whether it: (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others; or (d) has been otherwise disposed of and explain the circumstances surrounding the disposition, and identify the names of those persons with knowledge of such circumstances.

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2014, a true and correct copy of the foregoing document was served via electronic mail to all counsel of record.

/s/ John B. Scott
JOHN B. SCOTT